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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/741,307 | 12/19/2003 | Jameel Ahmad | 104990/143786 | 4361 |

7590 08/19/2004

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EXAMINER

LOFDAHL, JORDAN M

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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3644

DATE MAILED: 08/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/741,307

Applicant(s)

AHMAD, JAMEEL

Examiner

Jordan Lofdahl

Art Unit

3644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 December 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/1/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the concrete fill residing within the mesh structure and the support member comprising a mesh structure as well as all the structural limitations in claims 21-26 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 5-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Graham (5248122).

As to claim 1, Graham discloses a mesh structure (30) having an outer and inner surface, wherein the inner surface defines an annular space (fig. 1); a concrete fill material (abstract) which resides within the annular space of the mesh structure and within the mesh structure; at least one reinforcement member (the mesh structure which extends from end to end in the middle of the concrete slab) which resides within the concrete fill and a concrete face material (the exterior surface of the concrete slab) which resides upon the outer surface of the mesh structure.

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As to claim 2, disclosed are a plurality of interconnected steel wires (33, 34, 35, 36 and 37).

As to claim 3, disclosed are 12 gauge wires (col. 4, lines 1-5).

As to claim 5, disclosed is a concrete face material.

As to claim 6, disclosed is a steel reinforcement bar (33).

As to claim 7, disclosed are a plurality of reinforcement members (33 and 34).

As to claim 8, disclosed is a structure that is capable of deflecting.

As to claim 9, disclosed is a device with same claim limitations as the instant invention.

Therefore, it would be capable of deflecting 25% or less of the length of the structure.

As to claim 10, disclosed is the structure capable of being a wall (col. 6, lines 16 and 17).

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graham (5248122) and further in view of Brown, Jr. (6263629).

As to claim 4, disclosed variations of the unit cell dimensions (col. 4, lines 1-4). Not disclosed are the mesh unit cells having a width and length in the range of about 0.75 to 1.75 inches. Brown, Jr., however, discloses mesh unit cells having a width and length of one inch (col. 7, lines 30-33). It would have been obvious to one having ordinary skill in the art at the time the invention was made to comprise the mesh unit cells with a width and length of one inch, as taught, by Brown, Jr. to create a stronger reinforcement means.

Claims 11-13, 15-22 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham (5248122) and further in view of Phillips (5335472).

As to claim 11, Graham discloses a mesh structure (30) having an outer and inner surface, wherein the inner surface defines an annular space (fig. 1); a concrete fill material (abstract) which resides within the annular space of the mesh structure and

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within the mesh structure; at least one reinforcement member (the mesh structure which extends from end to end in the middle of the concrete slab) which resides within the concrete fill and a concrete face material (the exterior surface of the concrete slab) which resides upon the outer surface of the mesh structure. Not disclosed are a plurality of support members. Phillips, however, discloses a plurality of support members (53A). It would have been obvious to one having ordinary skill in the art at the time the invention was made to comprise the device of Graham with the support members, as taught by Phillips, to create a wall connecting means to create a building.

As to claims 12 and 22, disclosed are a plurality of interconnected steel wires (33, 34, 35, 36 and 37).

As to claims 13 and 23, disclosed are 12 gauge wires (col. 4, lines 1-5).

As to claims 15 and 26, disclosed is a concrete face material.

As to claim 16, disclosed is a steel reinforcement bar (33).

As to claim 17, disclosed are a plurality of reinforcement members (33 and 34).

As to claim 18, disclosed is a structure that is capable of deflecting.

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As to claim 19, disclosed is a device with same claim limitations as the instant invention. Therefore, it would be capable of deflecting 25% or less of the length of the structure.

As to claim 20, disclosed is the structure capable of being a wall (col. 6, lines 16 and 17).

As to claim 21, disclosed is a mesh structure (53A).

As to claim 25, disclosed is the support members surrounds a concrete fill.

Claims 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Graham (5248122) in view of Phillips (5335472) and further in view of Brown, Jr. (6263629).

As to claim 4, disclosed variations of the unit cell dimensions (col. 4, lines 1-4). Not disclosed are the mesh unit cells having a width and length in the range of about 0.75 to 1.75 inches. Brown, Jr., however, discloses mesh unit cells having a width and length of one inch (col. 7, lines 30-33). It would have been obvious to one having ordinary skill in the art at the time the invention was made to comprise the mesh unit cells with a width and length of one inch, as taught, by Brown, Jr. to create a stronger reinforcement means.

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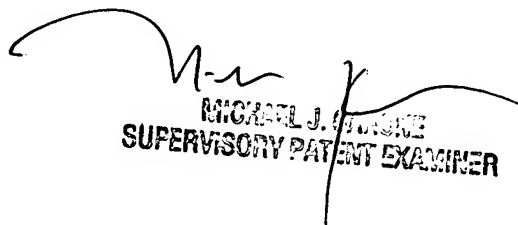
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan Lofdahl whose telephone number is 703.605.1217. The examiner can normally be reached on m-f 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on 703.306.4198. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jml


MICHAEL J. CARONE
SUPERVISORY PATENT EXAMINER